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**UNITED STATES BANKRUPTCY COURT**  
**FOR THE DISTRICT OF NEVADA**

In re:	Case No. 10-51432-GWZ
SPECIALTY TRUST, INC.,	Chapter 11
Debtor.	

In re:	Case No. 10-51437-GWZ
SPECIALTY ACQUISITION CORP,	Chapter 11
Debtor.	

In re:	Case No. 10-51440-GWZ
SAC II,	Chapter 11
Debtor.	

In re:	Case No. 10-51441-GWZ
SAC D-1, LLC	Chapter 11
Debtor.	<b>MOTION TO WITHDRAW AS COUNSEL OF RECORD</b>

**Hearing Date: OST REQUESTED**  
**Hearing Time:**

1 The law firm of McDonald Carano Wilson LLP (“MCW”) moves this Court for an order  
2 authorizing MCW to withdraw as counsel of record for R.W. and A.R. Capurro Family Trust  
3 (the “Trust”). This Motion is made pursuant to Local Rule of Bankruptcy Practice LR 2014,  
4 Local Rule of the United States District Court, Nevada IA 10-6(b), and is supported by the  
5 Declaration of Angelina R. Capurro filed concurrently herewith, and the following Memorandum  
6 of Points and Authorities.

7 **MEMORANDUM OF POINTS AND AUTHORITIES**

8 1. Nevada Rule of Professional Conduct 1.16(b) states “... a lawyer may withdraw  
9 from representing a client if: ... (1) Withdrawal can be accomplished without material adverse  
10 effect on the interests of the client; or (7) Other good cause exists. *See* Nev. R. Prof. C. 1.16(b)(1)  
11 and (7).

12 2. Furthermore, “[a] lawyer must comply with applicable law requiring notice or  
13 permission of a tribunal when terminating representation.” *Id.*

14 3. Pursuant to LR 2014 and LR IA 10-6(b), “[n]o attorney may withdraw after  
15 appearing in a case except by leave of court after notice served on the affected client and  
16 opposing counsel.”

17 4. MCW requests permission to withdraw because the Trust authorized MCW to  
18 appear as their counsel, pro bono, in order to appear at the hearing on Debtors’ emergency  
19 motion to use cash collateral and protect the common interests of equity security holders in the  
20 Debtors case in anticipation that a Committee of equity security holders (the “Committee”)  
21 would shortly be formed to assume that task.

22 5. Since the Committee has now been formed the Trust has authorized MCW to  
23 withdraw for the purpose of representing the Committee.

24 6. MCW respectfully requests this Court grant its Motion to Withdraw as Counsel of  
25 Record, effective immediately.

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28 ///

1 DATED this 28<sup>th</sup> day of May, 2010

MCDONALD CARANO WILSON LLP

2 /s/ Kaaran E. Thomas

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